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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/573,301

03/22/2006

Kazuya Kaida

65140(70551)

9567

21874

7590

08/27/2010

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EXAMINER

KIM, RICHARD H

ART UNIT

PAPER NUMBER

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 10/573,301	Applicant(s) KAIDA ET AL.	
	Examiner RICHARD H. KIM	Art Unit 2871	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 10 August 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: _____.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
 13. ☐ Other: _____.

/Richard H Kim/
Primary Examiner, Art Unit 2871

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant argues that the claimed invention would not have been obvious to one having ordinary skill in the art in view of any combination of Horiuchi, Uh and Oshima.

Firstly, Applicant argues that Horiuchi does not disclose "that prior to the sealant arranging step, a deaerating step of arranging in a pressure reduced atmosphere at least a substrate on which the sealant is to be arranged out of the two substrates" since "the pressure-reduced atmosphere (evacuating the vacuum chamber) is not performed until after the substrates are arranged in the vacuum chamber". Examiner respectfully submits that in paragraph [0032], Horiuchi discloses that after the vacuum chamber is evacuated, the glass substrate (3) is brought down upon the lower plate, pressing the plastic substrate (1) on the rouged plate (102) against the lower plate (101). Therefore, since after the vacuum chamber is evacuated, the plastic substrate is pressed against the lower plate (101), Examiner submits that Horiuchi discloses that "at least one substrate is arranged in a pressure-reduce atmosphere."

Secondly, in response to Applicant's argument that Horiuchi in paragraph [0035] and Fig. 5A, relates to a different embodiment from Fig. 3A, Examiner respectfully submits that the description disclosed in paragraph [0035] and Fig. 5A, relates to subsequent steps of the same embodiment disclosed in Fig. 3A-Fig. 4B. As evidence of this, Horiuchi discloses in line 1, of paragraph [0035] that the steps in Fig. 5a, is performed "thereafter" the steps performed in the previous figures and corresponding descriptions. Therefore, Horiuchi discloses "evacuating the vacuum chamber prior to the sealant arranging step".

Thirdly, in response to Applicant's argument that Horiuchi does not disclose "prior to the bonding step, a releasing step of releasing said pressure-reduced atmosphere", Examiner submits that since Fig. 5a represents steps of the same embodiment disclosed in Fig. 3a-4b, Horiuchi discloses a releasing step ([paragraph 0033]) performed prior to a bonding step (paragraph [0035]; Fig. 5a).

Therefore, Horiuchi discloses "a deaerating step of arranging in a pressure-reduced atmosphere at least a substrate on which said sealant is to be arranged out of said two substrate' is performed' prior to the sealant arranging step".

In response to Applicant's argument that Uh fails to teach or suggest the steps of "to be performed prior to said sealant arranging step, a deaerating step of arranging in a pressure-reduced atmosphere at least a substrate on which the sealant is to be arranged out of said two substrate; and to be performed prior to said bonding step, a releasing step of releasing said pressure-reduced atmosphere by an inert gas", Examiner submits that Uh was incorporated to teach the limitation not disclosed in Horiuchi, specifically the step of "liquid crystal dropping". As disclosed in Uh, dropping liquid crystal material before the substrates are bonded provides the advantage of minimizing liquid crystal composition, cost and waste (col. 3, lines 58-60).

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